

FAEGRE & BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402-3901
TELEPHONE 612-766-7000
FACSIMILE 612-766-1600

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Date: December 9, 2004

Time: 3:25 p.m. (Minneapolis)

Number of pages (including this page): 11 F&B File No.: 51984- Rec.: 616
247982

From: Lynn C. Cameron

Telephone Number: 612/766-8073

To: Mail Stop PETITIONS
Commissioner for Patents

Fax No.: 703-872-9306
Phone No.: 703-305-3531

Patent & Trademark Office, Technology Center 3600, Art Unit 3634

Inventor(s): MARK E. ABDELLA, et al.

Examiner: Thompson, Hugh B.

Appln. No.: 10/026,670

Group Art Unit: 3634

Filing Date: December 21, 2001

Title: REVERSIBLE DOOR HAVING
MORTISE HARDWARE

Docket No. 51984-247982

Enclosed for filing in connection with the above-captioned patent application are the following:

1. Petition to Withdraw Holding of Abandonment - Office Action Not Received (2 pages)
2. Declaration of Kerry R. Thompson in Support of Petition to Withdraw Holding of Abandonment - Office Action Not Received with attached Exhibits A-D (8 pages)

M2:20677154.01

If you do not receive all pages, please call the Fax Center at 612/766-1650 or Kristine Stefano at 612/766-7781.

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(THU) 12. 9 '04 15:20/ST. 15:19/NO. 4862059617 P 2

DEC 09 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): MARK E. ABDELLA et al.

Appln. No.: 10/026,670

Filing Date: December 21, 2001

Title: REVERSIBLE DOOR HAVING
MORTISE HARDWARE

Examiner: Thompson, Hugh B.

Group Art Unit: 3634

Docket No. 51984-247982

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE (FAX
NO. (703) 872-9306), ON DECEMBER 9, 2004.
Kristine StefanoPETITION TO WITHDRAW HOLDING OF ABANDONMENT
- OFFICE ACTION NOT RECEIVED

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received.

2. I hereby state:

(a) the Office Action identified in telephone conversation between the Applicant and the Examiner on December 8, 2004, was not received. In this conversation, the Non-received Office Action was indicated as mailed on June 4, 2004.

(b) A search of the file jacket and the docket records in our office indicates that this Office Action was not received.

3. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached as Exhibit A to the Declaration of Kerry R. Thompson in Support of Petition to Withdraw Holding of Abandonment - Office Action Not Received.

4. As additional evidence of non-receipt of the Office Action, there are also attached as exhibits to the declaration:

Serial No.: 10/026,670
Page 2

(a) Copies of records that disclose the receipt of other correspondence mailed from the PTO on or about the mailing date of the non-received Office Action that evidence the docketing of Office Actions in other cases in our office.

(c) A statement from the person(s) who would have handled the Office Action had it been received in the form of a Declaration of Kerry R. Thompson in Support of Petition to Withdraw Holding of Abandonment – Office Action Not Received.

5. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

6. Applicant requests a new copy of the Non-Received Office Action and that the Non-Received Office Action be accorded a statutory reply period corresponding to a new mailing date.


7. The Examiner stated in a telephone conversation with Applicant on December 9, 2004, that pursuant to the language of the Manual of Patent Examining Procedure at Ch. 711.03(c)1a, no fee is necessary with this Petition. Therefore, no fee is believed necessary at this time. However, if this assumption is in error and a fee is required, the Commissioner is authorized to charge our Deposit Account No. 06-0029 and is requested to notify us of the same.

The grant of this petition is respectfully requested.

Respectfully Submitted,

MARK E. ABDELLA et al.

By:


Lynn C. Cameron, #44,581
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-8073

Dated: December 9, 2004 M2:20676725.31

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DEC 09 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): MARK E. ABDELLA et al.	Examiner: Thompson, Hugh B.
Appln. No.: 10/026,670	Group Art Unit: 3634
Filing Date: December 21, 2001	
Title: REVERSIBLE DOOR HAVING MORTISE HARDWARE	Docket No. 51984-247982

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE (FAX
No. (703) 872-9306), ON DECEMBER 9, 2004.


Kristine Stefano

**DECLARATION OF KERRY R. THOMPSON IN SUPPORT OF
PETITION TO WITHDRAW HOLDING OF ABANDONMENT
- OFFICE ACTION NOT RECEIVED**

I, Kerry R. Thompson, declare and state the following:

1. I have been employed at the law firm of Faegre & Benson LLP for the last five years. My position currently and for the last two years is as a Paralegal in the Intellectual Property Group.
2. I am responsible for reviewing and docketing incoming correspondence from the United States Patent and Trademark Office according to docketing procedures in place in the Minneapolis, Minnesota office of Faegre & Benson LLP.
3. The policy in our office is that all mail from the USPTO is directed to me for docketing.
4. Our docket records for this matter do not reflect receipt of an Office Action for this Application Serial No. 10/026,670, mailed June 4, 2004.

Serial No.: 10/026,670
Page 2

5. I have inspected the file jacket of Application Serial No. 10/026,670 and determined it does not include any copy of an Office Action, mailed June 4, 2004.

6. As of December 8, 2004, Faegre & Benson LLP had not received an Office letter from the U.S. Patent and Trademark Office requiring a reply or amendment to the Application Serial No. 10/026,670.

7. Attached hereto is Exhibit A, which is a printout of our docket system entries for Application Serial No. 10/026,670. Exhibit A is a copy of records that would disclose the receipt of any Office Action mailed from the USPTO on or about the mailing date of June 4, 2004 of the non-received Office Action. Exhibit A evidences the non-receipt of the Office Action mailed June 4, 2004.

8. Attached hereto is Exhibit B which is a printout of our docket system entries for Application Serial No. 10/154,645 showing receipt of an Office Action mailed June 4, 2004 under column heading "BASE" and row including "FR N FINAL REJECTION (AA)." Exhibit B shows that another Office Action mailed by the USPTO on June 4, 2004 was entered into our docket system for a case unrelated to this application.

9. Attached hereto is Exhibit C which is a printout of our docket system entries for Application Serial No. 10/420,523 showing receipt of an Office Action mailed June 3, 2004 under column heading "BASE" and row including "R2 N RESPONSE TO OA (2MO)". Exhibit C shows that this correspondence mailed by the USPTO on June 3, 2004 was entered into our docket system for a case unrelated to this application.

10. Attached hereto is Exhibit D which is a printout of our docket system entries for Application Serial No. 10/151,199 showing receipt of a Notice of Allowance (as evidenced by required payment of "ISSUE FEE") under column heading "BASE" and row including

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Page 3

"IF N ISSUE FEE". Exhibit D shows that this correspondence mailed by the USPTO on June 3, 2004 was entered into our docket system for a case unrelated to this application.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

MARK E. ABDELLA et al.

By:



Paralegal

FAEGRE & BENSON LLP

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, MN 55402-3901

612/766-7226

Dated: December 9, 2004

M2:20676811.01

Faegre/	247982		PRINTED ON:		12/8/2004
COUNTRY	US	UNITED STATES	TITLE		PRIOR
NEW/CON	FCA	SERIAL/	10/026,670	REVERSIBLE DOOR HAVING MORTISE HARDWARE	12/27/2000
RELATED	n/a	PATENT/			MAIL
TYPE	UTL	STATUS	PUBLISHED		FILE
CLIENT	51984	Cole-Sewell (Pella Corporation-Storm Door Division)		1	12/21/2001
AGENT				AREF	ISSUE
					8/15/2002
					1ST
					12/21/2001
					EXP
					12/21/2021

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
SI	Y	SUPPLEMENTAL IDS - 1	7/7/2003										
PR	Y	PRELIM AMENDMENT	7/7/2003										
Return receipt postcard rec'd 7/21/03													
	N	COPY CLAIMS - INTERF	7/18/2002	12M	7/18/2003		7/18/2003	0	7/7/2003	2M	Y	Y	Y
Copy claims for possible interference of Application No. 10/010 953 (DOOR WITH LOCKSET), Inventors: Larson, et al. Publication No. US 2002/0092264A1													
55	Y	REV & POA	9/11/2003										
RE	N	RESPONSE TO OA	7/8/2003	3M	10/8/2003	31	1/8/2004	1	10/8/2003	1M	Y	Y	Y
Return receipt postcard rec'd 10/22/2003													
RE	N	RESPONSE TO OA	12/31/2003	3M	3/31/2004	31	6/30/2004	0	3/17/2004	1M	Y	Y	Y
SO	N	STATUS-OFFICE ACTION	3/17/2004	9M	12/17/2004		12/17/2004	0		0M	Y	N	Y

INVENTORS

ABDELLA, Mark E.

KIBBEL, Keith M.

PARKHURST, John M.

RALPH, James L.

STRATMOEN, Todd N.

PRIOR APPLICATIONS

REFERENCE/	CNTRY	SERIAL/	FILED	TITLE / DESCRIPTION	TYPE
	US	60/258,370	12/27/2000		APPL

USER-DEFINABLE FIELDS

CBJ/		SMALL ENTITY	No	ART UNIT	3634
N/A		CLAIMS		EXAMINER	Thompson, Hugh B.
PBL/	US-2002-0108312-A1	PUBLICATION/	US-2002-0108312-A1	CONFIRM/	7063

P82224US00 ENTERED 3/13/2003 MODIFIED 3/19/2004 BY jkt PAY N ATTORNEYS LOC / KGS / NIL

EXHIBIT A

Serial No. 10/026,670

Faegre/ 301587

PRINTED ON: 12/8/2004

COUNTRY	US	UNITED STATES	TITLE		PRIOR	5/24/2001
NEW/CON	FCA	SERIAL/	10/154,645	LOTTO GAME	MAIL	
RELATED	n/a	PATENT/			FILE	5/24/2002
TYPE	UTL	STATUS	PUBLISHED		PUBL	4/10/2003
CLIENT	74079	Multi-State Lottery Association	1	CREF	ISSUE	
AGENT				AREF	1ST	5/24/2002
					EXP	5/24/2022

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
FO	N	FOREIGN FILING DUE	5/24/2001	12M	5/24/2002		5/24/2002	0	5/24/2002	3M	Y	Y	Y
DS	N	INF DISCLOSURE STMT	5/24/2002	3M	8/24/2002		8/24/2002	0	9/6/2002	0M	Y	N	Y
G2	N	MISSING PARTS (2 MO)	7/11/2002	2M	9/11/2002	51	2/11/2003	5	10/3/2002	2M	Y	Y	Y
PU	N	PUBLICATION	1/30/2003	0M	1/30/2003		1/30/2003	0	4/10/2003	1M	Y	Y	Y
55	N	REV & POA	3/3/2004	10D	3/13/2004		3/13/2004	0	6/23/2004	0M	Y	Y	Y
PREPARE REVOCATION OF PRIOR POWERS AND NEW POWER OF ATTORNEY FOR SUBMISSION WITH RESPONSE TO OFFICE ACTION													
RE	N	RESPONSE TO OA	12/16/2003	3M	3/16/2004	31	6/16/2004	1	3/15/2004	1M	Y	Y	Y
2M	N	2 MONTH REMINDER FR	8/4/2004	2M	8/4/2004		8/4/2004	0	8/2/2004	0M	Y	N	Y
FR	N	FINAL REJECTION (AA)	8/4/2004	3M	9/4/2004	31	12/4/2004	3	12/1/2004	3M	Y	Y	Y
Mailing date 10/25/04													
FR	N	FINAL REJECTION	8/4/2004	3M	9/4/2004	31	12/4/2004	0	8/2/2004	3M	Y	Y	Y
	Y	NTC RE:CHANGE POA	10/15/2004										
	Y	NTC OF ACCEPT POA	10/15/2004										
	N	ASSIGNMENT	9/22/2004	m	10/22/2004		10/22/2004	0		0M	Y	N	Y
IS THIS OWNED BY BOTH MULTI-STATE LOTTERY ASSOCIATION AND IOWA LOTTERY OR JUST MSLA??													
E3	Y	3 MONTH EXT OF TIME	12/1/2004										
NA	N	NOTICE OF APPEAL	8/4/2004	6M	12/4/2004	00	12/4/2004	0		2M	Y	Y	Y
SF	N	STATUS-ADVISE ACTION	12/1/2004	M	1/1/2005		1/1/2005	0		0M	Y	N	Y

INVENTORS

STANEK, Edward J.

ASSIGNEES

Multi-State Lottery Association

PRIOR APPLICATIONS

REFERENCE/	CNTRY	SERIAL/	FILED	TITLE / DESCRIPTION	TYPE
	US	60/293,405	5/24/2001	MULTI-JURISDICTIONAL LOTTERY GAME	APPL

USER-DEFINABLE FIELDS

CBJ/

N/A

PBL/ US-2003-0069059-A1

PATENT FIELDS

SMALL ENTITY

CLAIMS

PUBLICATION/ US-2003-0069059-A1

ART UNIT 3714

EXAMINER HARRISON, Jessica

CONFIRM/ 3552

P02783US00 ENTERED 2/17/2004 MODIFIED 12/3/2014 BY jcl PAY N ATTORNEYS RBL / WCL / NIL

NOTES

DAVIS, BROWN DOCKET NO. 5803800/47700

EXHIBIT B

Serial No. 10/026,670

Faegre/ 292403

PRINTED ON: 12/8/2004

COUNTRY	US	UNITED STATES	TITLE		PRIOR	4/22/2002
NEW/CON	FCA	SERIAL/	10/420,523	FOOD SUPPLEMENTS CONTAINING 4-HYDROXYISOLEUCINE AND CREATINE	MAIL	4/22/2003
RELATED	n/a	PATENT/			FILE	4/22/2003
TYPE	UTL	STATUS	PUBLISHED		PUBL	12/4/2003
CLIENT	54259	Experimental and Applied Science, Inc. (EAS)	1	CREF	ISSUE	
AGENT				AREF	1ST	4/22/2003
					EXP	4/22/2023

ID	O	ACTION	BASE	DATE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P	
FO	N	FOREIGN FILING DUE	4/22/2002	12	M	4/22/2003		4/22/2003	0	4/22/2003	3	M	Y Y Y	
FC	N	FILING CONFIRMATION	4/22/2003	1	M	5/22/2003		5/22/2003	0	5/1/2003	0	M	Y N Y	
AS	Y	ASSIGNMENT	7/19/2003											
Recordation date: 7/21/2003; Reel/Frame: 014272/0984														
CS	N	CLT LTR-SERIAL NO	4/22/2003	3	M	7/22/2003		7/22/2003	0	5/16/2003	0	M	Y N Y	
DS	N	INF DISCLOSURE STMT	4/22/2003	3	M	7/22/2003		7/22/2003	0	7/19/2003	0	M	Y N Y	
Return Receipt Postcard Received 7/28/03.														
FD	N	FILING DETAILS	4/22/2003	3	M	7/22/2003		7/22/2003	0	6/26/2003	0	M	Y N Y	
	Y	UPDATED FILING RCPT	8/25/2003											
G2	N	MISSING PARTS (2 MO)	8/26/2003	2	M	8/26/2003	5	1	1/26/2004	0	7/19/2003	2	M	Y Y Y
Return Receipt Postcard Received 7/28/03.														
PU	N	PUBLICATION	12/4/2003	0	M	12/4/2003		12/4/2003	0	12/16/2003	1	M	Y Y Y	
RE	N	RESPONSE TO OA	1/26/2004	3	M	4/26/2004	3	1	7/26/2004	1	5/5/2004	1	M	Y Y Y
R2	N	RESPONSE TO OA (2MO)	6/3/2004	2	M	8/3/2004	4	1	12/3/2004	1	8/3/2004	1	M	Y Y Y
SO	N	STATUS-OFFICE ACTION	8/3/2004	9	M	5/3/2005		5/3/2005	0		0	M	Y N Y	

INVENTORS

MILLER, Peter J.

STEELE, Christine

KERR, Kevin

ASSIGNEES

Experimental and Applied Science, Inc.

PRIOR APPLICATIONS

REFERENCE/	CNTRY	SERIAL/	FILED	TITLE / DESCRIPTION	TYPE
	US	60/374,978	4/22/2002	FOOD SUPPLEMENTS CONTAINING 4-HYDROXYISOLEUCINE AND CREATINE	APPL

USER-DEFINABLE FIELDS

CBJ/	
N/A	
PBL/	US-2003-0224062-A1

PATENT FIELDS

SMALL ENTITY	YES	ART UNIT	1614
CLAIMS		EXAMINER	
PUBLICATION/	US-2003-0224062-A1	CONFIRM/	3149

P92262US00 ENTERED 4/22/2003 MODIFIED 8/5/2014 BY KJH PAY N ATTORNEYS SBM / PWB / NIL

EXHIBIT C

Serial No. 10/026,670

Faegre/ 277926

PRINTED ON: 12/9/2004

COUNTRY	US	UNITED STATES	TITLE		PRIOR	5/21/2001
NEW/CON	CEQ	SERIAL/	10/151,189	NEGATIVE-WORKING PHOTSENSITIVE COMPOSITION AND NEGATIVE-WORKING PHOTSENSITIVE LITHOGRAPHIC PRINTING PLATE	MAIL	
RELATED	281125	PATENT/	6,808,857		FILE	5/20/2002
TYPE	UTL	STATUS	ISSUED		PUBL	5/8/2003
CLIENT	58575	Kodak Polychrome Graphics LLC	1		ISSUE	10/26/2004
AGENT				AREP		
				1ST	5/20/2002	
				EXP	A 10/31/2022	

ID	O	ACTION	BASE	DI	IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
PR	Y	PRELIM AMENDMENT	5/20/2002											
AS	Y	ASSIGNMENT	5/20/2002											
MIYAMOTO AND HAYAKAWA TO KPG; REEL/FRA 012921/0474														
ID	N	IDS W/ PTO-1449	5/20/2002	3	M	8/20/2002		8/20/2002	0	8/20/2002	0	M	Y	N
55	N	REV & POA	10/28/2002	1	M	11/28/2002		11/28/2002	0	11/22/2002	0	M	Y	Y
	N	CITE SEARCH REPORT	2/19/2003	0	M	2/19/2003		2/19/2003	0	2/4/2003	0	M	Y	N
Return receipt postcard rec'd 2/14/2003 per Rule 1.704(d) at Shiga's request														
PU	N	PUBLICATION	5/8/2003	0	M	5/8/2003		5/8/2003	0	5/19/2003	1	M	Y	Y
SI	Y	SUPPLEMENTAL IDS - 2	11/26/2003											
Return receipt postcard rec'd 12/8/2003														
RE	N	RESPONSE TO OA	12/31/2003	3	M	3/31/2004	3	6/30/2004	0	2/27/2004	1	M	Y	Y
IF	N	ISSUE FEE	6/3/2004	3	M	9/3/2004		9/3/2004	0	9/2/2004	3	M	Y	Y
6/8/04 - per instructions from KPG, pay fee - KPG to confirm w/ KPG Japan regarding instructions to file a continuation application.														
FF	N	FILE FURTHER APPLN	6/3/2004	1	M	10/3/2004		10/3/2004	0	10/26/2004	2	M	Y	Y
6/8/04 - per instructions from KPG, they will confirm a decision on continuation with KPG Japan; issue fee was paid on 9/2/2004.														
AJ	N	REQ PATENT TERM ADJ	10/26/2004	0	M	10/26/2004		10/26/2004	0	10/26/2004	1	M	Y	Y
SS	N	STATUS-ISSUED PATENT	9/2/2004	1	M	1/2/2005		1/2/2005	0	10/29/2004	0	M	Y	N
CC	N	REQ FOR CERT OF CORR	10/26/2004	3	M	1/26/2005		1/26/2005	0	11/23/2004	0	M	Y	N
SO	N	STATUS-CERT/ CORREC	11/23/2004	9	M	8/23/2005		8/23/2005	0		0	M	Y	N
BR	N	BROADENED REISSUE DL	10/26/2004	2	M	10/26/2006		10/26/2006	0		2	M	Y	N
L1	N	1ST MAINT FEE LTR	10/26/2004	3	M	10/26/2007		10/26/2007	0		0	M	Y	N
M1	N	1ST MAINT FEE DUE	10/26/2004	4	M	4/26/2008	1	10/26/2008	0		6	M	Y	Y
L2	N	2ND MAINT FEE LTR	10/26/2004	8	M	10/26/2011		10/26/2011	0		0	M	Y	N
M2	N	2ND MAINT FEE DUE	10/26/2004	9	M	4/26/2012	1	10/26/2012	0		6	M	Y	Y
L3	N	3RD MAINT FEE LTR	10/26/2004	13	M	10/26/2015		10/26/2015	0		0	M	Y	N
M3	N	3RD MAINT FEE DUE	10/26/2004	13	M	4/26/2016	1	10/26/2016	0		6	M	Y	Y

INVENTORS

MIYAMOTO, Yasushi

HAYAKAWA, Eiji

ASSIGNEES

Kodak Polychrome Graphics, LLC

EXHIBIT D

Serial No. 10/026,670

PRIOR APPLICATIONS					
REFERENCE#	CNTRY	SERIAL#	FILE#	TITLE / DESCRIPTION	TYPE
281125	JP	2001-150669	5/21/2001	NEGATIVE-WORKING PHOTOSENSITIVE COMPOSITION AND NEGATIVE-WORKING PHOTOSENSITIVE LITHOGRAPHIC PRINTING PLATE	APPL

USER-DEFINABLE FIELDS		PATENT FIELDS			
CBJ#		SMALL ENTITY	No	ART UNIT	1752
N/A		CLAIMS		EXAMINER	Chu, John S Y
PBL#	US-2003-0087177-A1	PUBLICATION#	US-2003-0087177-A1	CONFIRM#	5888

P92125US01	ENTERED	10/28/2002	MODIFIED	11/23/2004	BY	KJH	PAY	N	ATTORNEYS	SBM	/	PWB	/	NIL
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NOTES

BB# 35248-US (065838.0346)

PTA on NOA is 164 days

EXHIBIT D
Page 2

Serial No. 10/026,670